

CIVIL DOCKET
UNITED STATES DISTRICT COURT

DAUGHERTY

71-C-87

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>WILLIAM L. MILLS, JR.</p> <p>VS</p> <p>LORENE BILLINGSLEY</p> <p>71-C-147 Consolidated with this case</p>	<p>For plaintiff:</p> <p>Paul R. Hodgson 749-2533 420 Harvard Tower <i>MAX FELDNER</i> 4815 South Harvard Tulsa, Oklahoma 74135</p> <p>Max Feldner John Dowd Tax Div. Dept. of Justice Washington, D. C. 20530</p> <p>For defendant:</p> <p>James O. Ellison, 904 World Building Tulsa, Oklahoma</p> <p>C. Douglas Fox 582-9201 4th Natl. Bk. Bldg. Tulsa, Oklahoma</p> <p>Nathan G. Graham, U. S. Attorney Tulsa, Okla & Jack Short</p> <p>John Dowd, Tax Div.</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed <i>4-1-71</i>	Clerk	3-25-71	Hodgson	15 00	
		4-1-71	CDNo. 43		15 00
		8-30-71	Hodgson	5 00	
J.S. 6 mailed <i>9-1-71</i>	Marshal	9-2-71	C.D.No.11		5 00
Basis of Action: Temporary Injunction	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-25-71	Complaint filed. Summons issued. r	
3-29-71	Return on service of summons filed. Executed by serving Wm. at Tulsa, Okla. on 3-26-71. (USM \$ 7.56)h	
4-14-71	Hearing held on plaintiff's application for temporary injunction. Statements made. Witness Hennie sworn and Court denies right to question Hennie. Plaintiff offers proof. Parties agree that that hearing on 4-21-71 be continued until 5-10-71. IRS enjoined from further hearing until after 5-10-71. IRS enjoined from further hearing on summons. Plaintiff directed to prepare preliminary injunction order. (Fred Daugherty - Judge) Lee Cook - CSR	
4-16-71	Subpoena returned & filed: served John D. Heeney, at Tulsa, Ok. 4-13-71. (USM \$2.00)g	
4-20-71	Preliminary injunction of 4-14-71, filed - defendant is preliminarily enjoined from compliance with the summons issued by Special Agent John D. Heeney of the Intelligence Division of the IRS of 3-16-71 and further ordered that plaintiff is not required to give security herein. (Fred Daugherty - Judge) copies mailed	
5-24-71	Order to consolidate - that case No. 71-C-147 be consolidated with this case No. 71-C-87. Filed. (FD-J)r (copies mailed)	
5-24-71	Case set for Pre-Trial on June 10, 1971 at 10:30 A.M. (FD-J)r	
6-10-71	Pre-Trial Hearing held. Parties represented. Statement made. Pltff. to prepare brief within 20 days for Govt. Mills & Billingsley are given 20 days thereafter to respond. Govt. to prepare the Pre-Trial Order. Withdrawal of Motion to Intervene of Pltff. is filed in Open Court. Case to be set on Non-Jury. (FD-J)r	
6-14-71	Answer of defendant, filed. ds	
6-25-71	Suggestion that this court lacks jurisdiction over the subject matter, suggested by USA, filed. v <i>United States</i>	
6-25-71	Memorandum of Law in support of suggestion that this court lacks jurisdiction over the subject matter, filed. v	
6-30-71	Memorandum of Law in support of Petition to enforce Internal Revenue Service summons, filed. h (Brief) <i>mailed</i>	
7-2-71	Letter dated 7-1-71 to Attorneys from J. D. requesting response to suggestion with supporting brief within 10 days from 7-1-71. (FD-J) Filed.	
7-9-71	William L. Mills Jr.'s response to suggestion by the United States of America that this court lacks jurisdiction over the subject matter, filed. v <i>United States</i>	
7-9-71	Memorandum of law in support of William L. Mills, Jr.'s response to suggestion by the United States of America that this court lacks jurisdiction over the subject matter, filed. v <i>United States</i>	
7-12-71	William L. Mills, Jr.'s memorandum of Law in opposition of Petition to enforce Internal Revenue Service Summons, filed. r (Response) <i>mailed</i>	
7-12-71	Response of Lorene C. Billingsley to suggestion by U.S.A. that this court lacks jurisdiction, filed. g <i>mailed</i>	
7-12-71	Memorandum of law in support of Lorene C. Billingsley's response, filed. g <i>mailed</i>	
7-19-71	Reply Memorandum of United States, filed. ds <i>mailed</i>	
7-20-71	Lorene C. Billingsley's memorandum of law in opposition of petition to enforce Internal Revenue Service summons, filed. g (Response) <i>mailed</i>	
8-4-71	Order filed and entered, dismissing Civil No. 71-C-87 for want of jurisdiction and taxpayer's Motion to Intervene in Civil No. 71-C-147 is revived and denied. The taxpayer is granted leave to file an Amicus Curiae brief in the latter case and do so within 15 days from this date. (original order is filed in case no. 71-C-147) FILED AND ENTERED. r (FD-J)	

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-30-71	Notice of appeal by plaintiff, filed. cpy to USCA and counsel. g	
8-30-71	Bond for costs on appeal, filed - Wm. L. Mills, Jr., surety. g	
8-31-71	Pre-Trial Order, filed. (FD-J) v	
9-27-71	Application of plaintiff-appellant to dismiss appeal, filed. g <i>Wm. L. Mills, Jr.</i>	
10-4-71	Order that leave is granted for the withdrawal of the appeal in the case and it is Ordered that the appeal is withdrawn. (FD-J) filed. r	
10-15-71	Order, that the appeal bond in the amount of \$250.00 is exonerated and the funds dispersed to William L. Mills, Jr., filed. (FD-J) ds	

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